

ANDREW D. COIT, OSB# 972378
Email: Andrew@cohencoit.com
TOM C. BORTON, OSB #092936
Email: Tom@cohencoit.com
COHEN & COIT, P.C.
9200 SE Sunnybrook Ave, Suite 430
Clackamas, OR 97015
Ph: 503-231-3419
Fax: 503-231-3420

Attorneys for Defendant

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

PORTLAND DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

STEVEN DOUGLAS ROCKETT,

Defendant.

Case No.: 3:13-CR-00557-SI

MOTION TO APPOINT EXPERT
WITNESSES

Defendant, STEVEN DOUGLAS ROCKETT, by and through his attorneys,
Andrew D. Coit and Tom C. Borton, of Cohen & Coit P.C., moves this Court for
an order appointing the following individuals as expert witnesses on behalf of
defendant:

1. **Wendy J. Bourg, Ph.D.**, 2701 NW Vaughn Street, Suite 350,
Portland, Oregon 97210, P (503) 320-6996, E-Mail:
drwendybourg@gmail.com; and

2. Wayne A. Marney, 3412 Douglas Drive, Springfield, Oregon 97478, P (541) 729-6792, E-Mail: wmarney@comcast.net.

The curriculum vitae pertaining to each expert witness is attached to this Motion as Exhibit 1.

POINTS AND AUTHORITIES

Pursuant to 18 U.S.C. § 3006A(e)(1), an indigent defendant is entitled to have the government, through the court, pay for investigative, expert, or other services necessary for an adequate defense. In determining whether the service is necessary, the court should consider whether “a reasonable attorney would engage such services for a client having the independent financial means to pay for them.”

United States vs. Bass, 477 F.2d 723, 725 (9th Cir. 1973) (citing United States v. Theriault, 440 F.2d 713, 716-17 (5th Cir. 1971) (Wisdom, J., concurring)).

Defendant is entitled to make the request for expert services *ex parte*. See 18 U.S.C. § 3006A(e)(1).

RESPECTFULLY SUBMITTED this 6th day of April, 2015.

/s/ ANDREW D. COIT

Andrew D. Coit
Attorney for Defendant

/s/ TOM C. BORTON

Tom C. Borton
Attorney for Defendant

Certificate of Service

I hereby certify that on April 6, 2015, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which provides notification of such filing to the following individual(s):

Mr. Paul T. Maloney
Special Prosecutor US Attorney's Office
150 N 1st Ave, Suite 300 MS 40
Hillsboro, OR 97124
E-Mail: paul_maloney@co.washington.or.us

/s/ Andrew D. Coit
Andrew D. Coit, OSB# 972378
andrew@cohencoit.com
Cohen & Coit, PC
Attorney for Defendant

/s/ Tom C. Borton
Tom C. Borton, OSB #092936
tom@cohencoit.com
Cohen & Coit, PC
Attorney for Defendant

9200 SE Sunnybrook Ave, Suite 430
Clackamas, OR 97015
Ph: 503-231-3419
Fax: 503-231-3420

WENDY BOURG, PH.D.

Licensed Psychologist
3906 SW Kelly Avenue
Portland, OR 97239
Phone: 503-320-6996 Fax: 503-327-8696
Email: drwendybourg@gmail.com

CURRICULUM VITAE

Education

University of Houston, Houston, TX 77204

Major: Clinical Psychology

Degree: Ph.D.

GPA: 3.90

Dissertation: Young boys' reactions to adult negative affect as a function of race and relationship to the actor

Texas A&M University, College Station, TX

Major: Psychology

Minor: Biology

Degree: B.S. Summa Cum Laude

GPA: 3.99

Thesis: The effects of chronic cobalt exposure on passive avoidance performance in the adult rat

Honors: Spring Award Scholar for five years

Phi Kappa Phi Honor Society

Alpha Lambda Delta Honor Society

Psi Chi Psychology Honor Society

Freshman Counselor and Peer Advisor

First Place, Undergraduate research competition, Southwest Psychological Association Convention

Positions Held

Private Practice, Portland, OR 2002-present. Focus on forensic family psychology

Management Information Systems Director, Summit Research Network (Oregon), Inc., Portland, OR
5-15 hours per week 2001-present

Duties: Maintain database of blinding code to conduct research projects. Prepare posters for New Clinical Drug Evaluation Unit (NCDEU) conference each year. Support program evaluation activities pertaining to clinicians

Updated 06/13

Research Clinician, Summit Research Network (Oregon), Inc.(formerly Pacific Northwest Clinical Research Center (PNCRC)), Portland, OR

25-35 hours per week 1998-present

Duties: Evaluating candidates for pharmaceutical research studies; rating patient during research trials; triage and referral for those who are ineligible.

Reports to: Ward Smith, M.D.

Assistant Scientist, Child Abuse Response and Evaluation Services (CARES NW), Portland, OR

Part-time position (20 hrs./week) 1997-2002

Reports to: Program Manager, Emmy Sloan, M.Ed initially; Kevin Dowling, M.A. last 2 years.

Technical Writer, Oregon Medical Guidelines for Conducting Child Sexual Abuse Evaluations

Part-time position (10 hrs./week) 1996-1997

Reports to: Health Advisory Council on Child Abuse, A Committee Convened by the Oregon Legislature

Child Abuse Interviewer, Child Abuse Response and Evaluation Services (CARES NW), Portland, OR

Part-time position (20 hrs./week) 1992-1998

Supervisor: Judy Butler, M.Ed.

Psychology Intern, Delaunay Family of Services, Portland, Oregon.

Full-time position (37.5 hrs./week) 1993-1994

Supervisor: Patrick Cicognani, Ph.D., Pamela Birrell, Ph.D

Project Coordinator, Parent-Child Partnership, University of Houston, Psychological Research and Services Center

Part-time position (20 hrs./week) 1991-1992

Supervisors: John Vincent, Ph.D., Gerald Harris, Ph.D.

Clinical Staff, Evaluation and Brief Therapy Service, Houston Child Guidance Center

Part-time position (10 hrs./week) 1991-1992

Supervisor: Patrick Brady, Ph.D.

Clinic Assistant, University of Houston, Psychological Research and Services Center

Part-time position (20 hrs./week) 1990-1991

Note: This was an honorary position. Faculty met and voted on which students to ask to assume the job.

Supervisors: Marco Mariotto, Ph.D., T. Kevin Roberts, Ph.D., J. Gayle Beck, Ph.D., John Vincent, Ph.D., Carlo DiClemente, Ph.D., Gerald Harris, Ph.D.

Psychological Assessment Administrator, Houston Psychological Associates

Part-time position ("on demand") 1991

Supervisor: Eva Stubitts, Ph.D.

Updated 06/13

Project Director, Divorce Adjustment Services, University of Houston Psychological Research and Services Center

Part-time position (20 hrs./week) 1988-1990
 Supervisors: John Vincent, Ph.D., Gerald Harris, Ph.D.

Statistics Consultant, Baylor College of Medicine, Department of Physiological Research

Part-time position ("on demand") 1989-1990
 Reported to: Jacques Chelly, M.D., Ph.D.

Undergraduate Psychology Methods Instructor, University of Houston

Part-time position (20 hrs./week) 1988
 Reported to: Eugene Doughtie, Ph.D.

Graduate Statistics Laboratory Instructor, University of Houston

Part-time position (20 hrs./week) 1987-1988
 Supervisors: Joseph Carbonari, Ph.D., David Francis, Ph.D.

Research Coordinator, Project for the Chronically Mentally Ill, University of Houston

Part-time position (20 hrs./week) 1986-1987
 Supervisor: Gordon L. Paul, Ph.D.

Project Director, Problem Drinker Treatment Center, University of Texas, Department of Psychiatry

Part-time position (20 hrs./week) 1985-1988
 Supervisor: Gerard Connors, Ph.D.

Practica**Group Therapist, Depression Research Clinic, University of Houston, Psychological Research and Services Center**

Part-time unpaid practicum (5 hrs./week) 1990-1991
 Duties: Outpatient group therapy for patients meeting DSM-III-R criteria for a major affective disorder.
 Supervisor: Lynn Rehm, Ph.D.

Parent Training Group Leader, Houston Area Women's Center

Part-time unpaid practicum (2 hrs./week) 1990-1991
 Duties: Outpatient group therapy for mothers of 4-10 year-old children who resided in a battered women's shelter.
 Supervisor: Ernest Jouriles, Ph.D.

Family Evaluation Extern, Houston VA Hospital, Family Therapy Program

Part-time unpaid practicum (5 hrs./week) 1988-1991
 Duties: Psychological assessment of family relationship quality and individual adult and child adjustment, coordination of feedback from these assessments with overall therapy goals,

Updated 06/13

attending family intake evaluation meetings, co-therapy for family intake evaluations, case presentations to multidisciplinary teams, writing reports to document results of family evaluations.

Supervisors: Sam Buser, Ph.D., Ernest Jouriles, Ph.D.

Psychology Extern, Houston VA Hospital

Part-time unpaid practicum (16 hrs./week) 1987-1988

First Rotation, Family Therapy Program Duties: Individual adult, marital and family outpatient therapy, case presentations in multidisciplinary meetings

Supervisor: Scott Kamilar, Ph.D.

Second Rotation, Alcohol Treatment Unit Duties: Intake interviews with chronic alcoholics, case presentations in multidisciplinary team meetings, group co-therapist for social skills and drinking cessation groups, skills training workshop presentations, intelligence and personality assessment.

Supervisor: Sue Bailey, Ph.D.

Advanced Student Practicum, University of Houston, Psychological Research and Services Center

Part-time unpaid practicum (20 hrs./week) 1987-1988

Duties: Individual outpatient psychotherapy for patients presenting with anxiety disorders, supervision of beginning graduate student therapy cases, case presentations, teaching case presentation to beginning graduate students.

Supervisor: Gordon L. Paul, Ph.D.

Advanced Practicum in Family Therapy, University of Houston, Psychological Research and Services Center

Part-time unpaid practicum (5 hrs./week) 1987

Duties: Outpatient marital and family therapy, viewing tapes of other students, faculty and experts in the field of family therapy, readings in the area of family therapy, case presentations.

Supervisor: John Vincent, Ph.D.

Student Practicum, University of Houston, Psychological Research and Services Center

Part-time unpaid practicum (15 hrs./week)

Duties: Individual outpatient psychotherapy, family outpatient psychotherapy, group assertiveness skills training, viewing tapes of other therapists, following cases of other therapists. Client problems treated include depression, grief, social skills deficits, anxiety, panic, interpersonal problems, and individuation difficulties.

Supervisor: Gerald Harris, Ph.D.

Publications

Jouriles, E.N., Bourg, W.J., & Farris, A.M. (1991). Marital distress and child conduct problems: A comparison of the correlation across subsamples. Journal of Consulting and Clinical Psychology, 59(2), 354-357.

Updated 06/13

- Beck, J.G. & Bourg, W.J. (1992). Obsessive-compulsive disorder in adults. In R.T. Ammerman & M.M. Hersen (Eds.), Handbook of Behavior Therapy with Children and Adults: A Longitudinal Perspective. New York: Pergamon Press.
- Bourg, W., Broderick, R., Flagor, R., Kelly, D., Erwin, D., & Butler, J. (1997). Oregon Interviewing Guidelines. Salem, OR: State Office of Services to Children and Families.
- Bourg, W., Broderick, R., Flagor, R., Kelly, D., Erwin, D., & Butler, J. (1999). A Child Interviewer's Guidebook. Thousand Oaks, CA: Sage Publications.
- Bourg, W., Keltner, L., Reichart, S., Calvert, J., Dunbraski, S., Snyder, K., Frost, M., & Reilly, P. (1999). Oregon Medical Guidelines for Center-based Child Sexual Abuse Examinations. Salem, OR: State Office of Services to Children and Families.
- NCDEU Posters, 2004, 2005 Single versus Multiple raters in clinical trials;
- NCDEU Poster 2007, Age, Gender and Severity as Predictors of Response to Placebo and Medication.
- NCDEU Poster 2008, Is there an Optimal Completion Rate for Clinical Trials of Depression and Anxiety?

Presentations

- Bourg, W.J. (1985, April). The effects of chronic cobalt exposure on passive avoidance performance in the adult rat. Presented at the Southwestern Psychological Association convention, Austin TX.
- Muehlenhard, C., Baldwin, L., & Bourg, W. (1985, November). Computerized training of heterosocial skills to female college students. Presented at the 22nd annual convention of the Association for Advancement of Behavior Therapy, Houston, TX.
- Bourg, W.J. & Cox, L. (1993, October). Interviewing: General presentation. Presented at the CARES conference, "A Clinical Response to Child Sexual Abuse", Portland, OR.
- Bourg, W.J. (1993, October). Developmental aspects of interviewing latency-aged children. Presented at the CARES conference, "A Clinical Response to Child Sexual Abuse", Portland, OR.
- Bourg, W.J. (1994, March). Brief tips on interviewing for examiners. Presented at the CARES Advanced training for physicians, "A Clinical Response to Child Sexual Abuse", Portland, OR.
- Bourg, W.J. (1994, April). Developmental interviewing of suspected child abuse victims. Presented at the Washington County Sheriff's annual certification training. Hillsboro, OR.
- Bourg, W.J. (1994, April). Child sexual abuse: Keeping our children safe. Presented at the Physicians for Social Responsibility Conference, "The Developing Child in a Violent Society", Portland, OR.

Updated 06/13

- Bourg, W.J. & Crow, P. (1994, May). Assessing child sexual abuse: A developmental perspective. Presented as a day long workshop at Portland State University under the auspices of the Continuing Education Program, Portland, OR.
- Bourg, W.J. (1994, June). How to choose a nurturing, safe daycare for your child. Presented as an evening workshop for parents under the auspices of Legacy Emanuel Children's Hospital Community Education Office, Portland, OR.
- Bourg, W.J. (1994, September). Developmental aspects of interviewing: Older children. Presented at the CARES conference, "A Clinical Response to Child Sexual Abuse", Portland, OR.
- Bourg, W.J. & Cox, L. (1994, September). Courtroom survival skills: Practical suggestions for presenting your work in court. Presented at the CARES Advanced training for child interviewers, "A Clinical Response to Child Sexual Abuse", Portland, OR.
- Bourg, W.J. (1994, October). Keeping our children safe from child sexual abuse. Presented to staff and students at the Cascade campus of Portland Community College, Portland, OR.
- Bourg, W.J. (1995, February). Children's sexual development: When should you be concerned about abuse? Presented to the staff of the child development center at Mount Hood Community College, Gresham, OR.
- Bourg, W.J. & Crow, P. (1995, April). What does memory research tell us?: Guidelines for mental health practitioners. Presented as a day long workshop at Portland State University under the auspices of the Continuing Education Program, Portland, OR.
- Bourg, W.J. (1995, October). Brief tips on interviewing for examiners. Presented at the CARES Advanced training for physicians, "A Clinical Response to Child Sexual Abuse", Portland, OR.
- Bourg, W.J. (1995, October). Did it really happen? Implications of the memory debate for interviewing children. Presented at the CARES Advanced training for child interviewers, "A Clinical Response to Child Sexual Abuse", Portland, OR.
- Bourg, W.J. & Butler, J. (1996, September). Interviewing over multiple sessions. Presented at the CARES Advanced training for child interviewers, "A Clinical Response to Child Sexual Abuse", Portland, OR.
- Bourg, W.J. (1996, September). Handling tough issues in court. Presented at the CARES Advanced training for child interviewers, "A Clinical Response to Child Sexual Abuse", Portland, OR.
- Bourg, W.J. (1997, March). Using memory and suggestibility research in court. Presented twice, once to attorneys from the Multnomah County District Attorney's Office, and once to staff at CARES, Northwest, Portland, OR.
- Bourg, W.J. (1997, April). A continuum of services for responding to allegations of child abuse. Presented to the Oregon Legislature Committee on Human Resources.

Updated 06/13

- Bourg, W.J. (1997, July). What is a leading question? Presented at the CARES Advanced training for child interviewers, "A Clinical Response to Child Sexual Abuse", Portland, OR.
- Bourg, W., Broderick, R., Flagor, R., & Kelly, D. (1997, October). Oregon Interviewing Guidelines. Presented at the Southwest Child Abuse Regional (SCAR) Symposium, Eugene, OR.
- Bourg, W., Broderick, R., Flagor, R., & Kelly, D. (1998, May). Oregon Interviewing Guidelines for Center Interviewers. Presented at the Phoenix Inn, Eugene, OR.
- Bourg, W.. (1998, June). The Nondisclosing Child. Presented at the CARES Advanced training for child interviewers, "A Clinical Response to Child Sexual Abuse", Portland, OR.
- Bourg, W. (1998, October). Interviewing Children. Presented at the CRB/CASA conference, "Mobilizing the Village", Welches, OR.
- Bourg, W. (1998, Fall). Interviewing Children. A day long training presented in Tillamook, OR.
- Bourg, W., Broderick, R., Flagor, R., & Kelly, D. (1998, October). Using Oregon Interviewing Guidelines in Field Interviewing Situations. Presented at the Southwest Child Abuse Regional (SCAR) Symposium, Eugene, OR.
- Bourg, W. (1999, May). The Nondisclosing Child. Presented at the CARES Advanced training for child interviewers, "A Clinical Response to Child Sexual Abuse", Portland, OR.
- Bourg, W. (1999, May). Core Features of Children's Memory: Understanding them and talking about them in Court. Presented at the CARES Advanced training for child interviewers, "A Clinical Response to Child Sexual Abuse", Portland, OR.
- Bourg, W. (1999, March). In support of removing the faith healing exemptions from Oregon's child abuse statutes (HB 2494). Testimony before the Oregon House of Representatives Judiciary Committee on Criminal Law.
- Bourg, W. (1999, July). In support of removing the faith healing exemptions from Oregon's child abuse statutes (HB 2494). Testimony before an Oregon Senate Conference Committee.
- Bourg Ransford, W. (2007, October) New Research in Drugs for Anxiety and Depression. Presented at the Oregon Nurse Practitioner's Association Annual Convention, Lincoln City, OR.
- Bourg Ransford, W. (2008, May). On Staying Sane in Insane Places: Child Sexual Abuse Allegations and Custody Disputes. Presented at the Oregon Psychological Association Annual Convention in Portland, OR.
- Bourg Ransford, W. and Farrenkopf, T. (2008, June). Coping with Stress. Presented as a public service on behalf of the Oregon Psychological Association Public Education Committee in Portland, OR.

Updated 06/13

Bourg-Ransford, W (February 17, 2010). Child Interviewing: Day 1 Screening Interviews. Presented to Douglas County Police, DHS, and Center-based Interviewers at the Roseburg Police Department

Bourg-Ransford, W (February 18, 2010). Child Interviewing Day 2 Center Based Evaluations and Peer Consultation Groups. Presented to Douglas County Center-based Interviewers at the Roseburg Police Department.

Reisburg, Bourg & Maxfield (April 13, 2013). 2012 Oregon Interviewing Guidelines. Presented at the Oregon Criminal Defense Lawyer's Association annual meeting in Newport, Oregon.

Grants

Sigma Xi Graduate Research Grant awarded Fall, 1988 to support Master's Thesis Research.

Matching grant jointly awarded in June, 1996 by the Irwin Foundation, Emanuel Foundation, and Oregon State Office of Services to Children and Families to support development of Oregon Medical Guidelines for Child Sexual Abuse Evaluations.

National Children's Alliance Program Support Grant awarded annually 1997-2002

Washington County Commission on Children and Families Program Support Grant awarded annually 1997-2002

Professional Affiliations and Activities

1995: Chairperson, Subcommittee for the Creation of Statewide Interviewing Guidelines, State of Oregon.

June, 1997: Panelist on a national committee on questioning children, Miami, FL.

1997-2000: Vice President of the Oregon State Chapter of the American Professional Society on the Abuse of Children.

2000-2001: President of the Oregon State Chapter of the American Professional Society on the Abuse of Children.

June, 2006-present: Oregon Psychological Association

2007-2012: Oregon Psychological Association Public Education Committee

2008-2011: Oregon Psychological Association Conference Committee

2009-2010: Chair, Oregon Psychological Association Public Education Committee

2010-2011 Director, Oregon Psychological Association Board of Directors

Updated 06/13

2012-2013 Chair, Oregon Psychological Association Legislative Committee

2010-2011 Director, National Alliance for the Mentally Ill Board of Directors

Member, American Psychological Association (APA)

Member, Association of Family and Conciliation Courts (AFCC)

Member, American Professional Society on the Abuse of Children (APSAC)

Licensure

April, 2006 Licensed as a Psychologist in the State of Oregon. License Number 1708.

Professional References

Historical:

Ernest Jouriles, Ph.D.
Assistant Professor
Department of Psychology
University of Houston
Houston, TX 77204
(713) 743-8600

John Vincent, Ph.D.
Director of Clinical Training
Department of Psychology
University of Houston
Houston, TX 77204
(713) 743-8600

Judy Butler, M.E.d.
Interviewing Supervisor
CARES NW Program
2800 N. Vancouver
Suite 218
Portland, OR 97212
(503) 331-2400

Emmy Sloan, M.Ed.
Program Manager
CARES NW Program
2800 N. Vancouver
Suite 218
Portland, OR 97212
(503) 331-2400

Current:

Ward Smith, M.D.
Director
Summit Research Network
1849 NW Kearney
Suite 201
Portland, OR 97209
(503) 279-8252

Charlene Sabin, M.D.
Behavioral Pediatrician
1811 NE 8th Ave.
Portland, OR 97212
503-233-6240

Updated 06/13

Curriculum Vitae of Wayne A. Marney

Forensic Computer Examiner

Wayne Marney:

- has been recognized as an expert witness in state courts of **Iowa, Florida, New York, Montana, Oregon, Texas and Washington**; plus **US District Court**, Middle and Southern Districts of Florida, Southern District of Iowa, District of Oregon, deposition in Western District of Texas, and US Military Court.
- since 1996 has completed hundreds of forensic exams involving standalone and networked computer systems using the Microsoft family of operating systems and Apple Macintosh.
- is a retired twenty-three year police veteran and was a full-time member of the Oregon State Police Computer Crimes Unit from 07/1995 through 02/2003.

EXPERT QUALIFICATIONS

- 09/13** Windows Vista, Motion to Suppress Hearing
City of Springfield vs. Dana Bishop, Springfield Municipal Court, Case No 1302701-10
- 02/13** Apple OSX 10.6.4 iMac, Trial
State of Oregon vs. Catalin Dulfu, Lane County Circuit Court, Case No 20-12-04555
- 03/12** Apple OSX 10.5.8, MacBook, Deposition
State of Iowa vs. Anthony Bertolone, District Court for Polk County, No FECR239544
- 11/11** Apple OS X 10.4.11 on MacBookPro, Franks Hearing
State of Montana vs. Mark Gary Morse, Montana 22nd Judicial Dist., Big Horn County, No. DC-10-76
- 03/11** Motion for Transfer of Discovery
US vs. Todd Hollen, US District Court, Southern District of Iowa, No 4-10: CR-00131
- 07/10** Windows Vista – Motion to Compel Discovery
State of Oregon vs. Aaron Clark, Washington County Circuit Court, Case No. J100161
- 10/09** Windows XP - Motion to Suppress and Motion to Controvert
State of Oregon vs. Jeffrey Glenn Smith, Marion County Circuit Court Case No. 08C40934
- 02/09** Windows XP - Article 32 investigation ICO United States Navy v. CTRCS Christopher Reyher
US Navy Pacific Fleet, Honolulu, Hawaii
- 08/08** Windows XP – Evidentiary Hearing - Possession of Child Pornography
Marion County Circuit Court, Oregon vs. Jeffrey Glen Smith, Case No.08C40934
- 12/07** Windows XP – Possession of Child Pornography Trial
Texas vs. Mark Assousa, case #219-82443-04, 219th District Court of Texas, Collin County, TX
- 10/07** Windows XP – Discovery Hearing Possession of Child Pornography
US District Court, District of Oregon v. Thomas Boren, CR No. 07-60015-01-HO
- 09/07** Windows XP - Probation Modification Hearing possession of child pornography
Florida v. Tony Angiuli, Eight Circuit Court, 01-2007-CF-000155-A
- 08/07** Windows XP - Possession of Child Pornography
Suppression Hearing, US v Mohamed Al-Garni, Case #06-20060-CR-O'SULLIVAN
US District Court, Southern District of Florida, Miami, Florida
- 06/07** Windows XP – Employee Misconduct
Bellmore-Merrick Consolidated Schools v. Kevin McElroy, Respondent – Tenured Teacher
Employment Rights Hearing, State Education Department, New York
- 05/07** Windows XP – Internet Usage
Temp Child Custody Hearing, Henderson and Henderson, Cause no. 07-00336
256th Judicial District Court, Dallas, Texas
- 04/07** Windows XP - Possession of Child Pornography
State of Texas v. Michael Novominsky, Evidentiary Hearing
10th District Court of Galveston County, Case numbers 05CR0581, 06CR0869, 06CR0870.

wmarney@comcast.net 541-729-6792

Curriculum Vitae of Wayne A. Marney

Forensic Computer Examiner

- 04/07** Windows XP – Sentencing Hearing Possession of Child Pornography
US District Court, Middle District of Florida v. William C. Miller, Case #5:06-cr-00004-WTH-GRJ
- 04/07** Windows XP – Possession of Child Pornography
Evidentiary Hearing, US v. Mohamed Al-Garni, Case #06-20060-CR-UNGARO-BENAGES
US District Court, Southern District of Florida, Miami, Florida
- 08/06** Windows XP – Peer to Peer downloading, Deposition, Arista Records LLC v. Delina Tschirhart
US District Court for Western District of Texas #05-CV-372-OLG
- 04/06** Windows XP – Possession of Child Pornography
State of Florida v. Lem Eng, Case No. 04-CF-15354, 9th Judicial District Court, Orange County, FL
- 03/06** Windows XP – Possession of Child Pornography
Suppression Hearing, State of Texas v. Jason Kent-Gudino Case No. 296-80844-05
Collin County 296th Judicial District Court, Plano, Texas
- 01/06** Windows 98 – Child Pornography
United States v. Jeffery Tobin, Case No. 05-20529-CR-JLG
Southern District of Florida, Ft. Lauderdale, Florida
- 09/05** Windows XP Pro - Child Sex Abuse
State of Oregon v. Douglas Romero,
Washington County Circuit Court No. C051128CR
- 02/04** Deposition, Macintosh 8.1 – Document Creation
Superior Court of State Washington, King County, No.02-2-18160-1SEA - Flavian Lupinetti, MD,
Plaintiff vs. Children’s Hospital, Children’s University Group, et al.
- 06/03** Deposition, Macintosh 9.1 OS – Civil Rights Violation
Daniel Skoog vs. Clackamas County and Royster, et al US District Court of Oregon, No CV00-1733J0
Plaintiffs stipulated to Mr. Marney as an expert witness in Computer Forensics
- 06/03** Rebuttal Testimony, Macintosh 8.1 OS, – Employee Misconduct/Adult Pornography, Port Jefferson
School Dist. v. Allen Watkins, Respondent – Tenured Teacher, State Education Department, New York
Case No. 3932
- 06/03** Macintosh 9.1 OS – Child Sex Abuse/Child Pornography
State of Washington v. James P. DeGroff
Thurston County Superior Court, Olympia Washington No. 02-1-960-7
- 03/03** Windows ME OS – Aggravated Murder, State of Oregon v. Christian Longo
Lincoln County Circuit Court, Newport Oregon – Case Number 01-6441
- 10/02** Windows 98 OS – Child Sex Abuse
State of Oregon v. Bradshaw, Richard
Linn County Circuit Court, Albany Oregon - Case Number 02020315
- 08/02** Windows 98 OS - Expert Consultant on Child Pornography
Suppression Hearing, US vs. Loren S. Williamson - Criminal No.CD02-60017-8A
US District Court, District of Oregon, AUSA Jeff Kent, DOJ, Eugene Division
Defense withdrew 2 of 4 demur motions after review of my exhibits.
- 06/02** Employment Rights Hearing, Windows 98 OS
Employee Misconduct/Internet
Tualatin School District v. John Doe, Contract Teacher, Tualatin, Oregon
- 05/02** Macintosh 9.1 OS – Motion in DUII case
Oregon v. Daniel George Skoog, Clackamas County Circuit Court Case # 00-14986
- 10/01** Cross Examination, Macintosh OS, Port Jefferson v. A. Watkins, New York
- 01/01** Direct Examination, Macintosh OS, Port Jefferson v. A. Watkins, New York

wmarney@comcast.net 541-729-6792

EXHIBIT

Page 11 of 13

Curriculum Vitae of Wayne A. Marney

Forensic Computer Examiner

- 05/99** Macintosh 8.5 OS – Theft/Intellectual Property
Synaptec vs. William Todd Mckelvie and MacExchange, LLC
Lane County Circuit Court Case Number 169809296, Eugene, Oregon
- 06/96** Windows 95 OS – Employee Misconduct/Adult Pornography
Employment Trial Board, Oregon State Police vs. Roger Clark, Lieutenant, Salem, Oregon

FORENSIC EXPERIENCE

Forensic Affiliations:

- 09/03-01/11 Member, ISFCE, The International Society of Forensic Computer Examiners.
07/95-11/04 Member, IACIS, a law enforcement training organization.
07/99-09/00 and 7/03 – 2/04 IACIS Director, R&D chair of the Board of Directors.

Criminal Forensics

- 11/04-Present Forensic Computer Services specializing in defense
11/04-Present Pro-Bono Forensic Computer Services for Springfield Police Department, Oregon
07/95-02/03 Detective, full-time forensic computer examiner, Oregon State Police

Civil Litigation Support/Forensic Computer Consulting

- 11/05 - 04/09 Computer Forensic Services, Inc. Dallas, Texas
06/98 - 01/07 Data Discovery, Inc. Beaverton, Oregon
11/96 - Present Forensic Computer Consultant

FORENSIC INSTRUCTOR

- 02/13** Instructor, Computer Evidence Seizure, Springfield Police Department, Oregon.
06/06 Instructor, Basic Computer Forensic Course, Mile2.com, Edinburgh Scotland.
05/01- 01/08 Instructor, SE CyberCrime Institute at Kennesaw State U., Atlanta, GA and Key Computer Service, Inc.
05/00 Director, Research and Development Chair, IACIS, Instructor (basic/advance course), IACIS Annual Training Conference - Orlando, Florida
02/00 Instructor/Coach, Law Enforcement Forensic Training in association with ASRDATA, LLC, Portland, Oregon.
05/99 Instructor/Training Coach - International Association of Computer Investigative Specialists Training Conference - Orlando, Florida
03/99 Instructor - US Department of Energy, Computer Crime Investigative Techniques Training Course, Savannah River Site – Aiken, South Carolina

FORENSIC LECTURER

- 10/07** Speaker - 5th Annual Texas Criminal Defense Lawyers Assoc. *Forensic Seminar*, Dallas, TX.
09/06 Speaker - 4th Annual Texas Criminal Defense Lawyers Assoc. *Forensic Seminar*, Dallas, TX.
03/05 Guest Speaker - University of Oregon Law School, Asst. DA K. McIntyre, Lane Co. DA's Office
10/04 Guest Speaker - Defending Computer Evidence, Lane County Oregon Bar Association
04/03 Guest Speaker - University of Oregon Law School, AUSA Sean Hoar, Instructor
04/02 Keynote Speaker - 2002 Electronic Evidence Course, U.S. Department of Justice Eugene, OR
05/00 Speaker - Computer Science School, University of Central Florida, Orlando, FL
10/99 Speaker - 14th Annual Northwest Computer Technology & Crime Analysis Seminar Northwest Computer Technology & Crime Analysis - Sun River, OR
04/99 Speaker - Computer Science School, Oregon State University, Corvallis OR

wmarney@comcast.net 541-729-6792

EXHIBIT

Page 12 of 13

Curriculum Vitae of Wayne A. Marney

Forensic Computer Examiner

06/96 Speaker, Interagency Fraud Investigation Seminar, Salem OR

FORENSIC TRAINING

10/08 Recertification CCE, International Society of Forensic Computer Examiners.

10/06 Recertification CCE, International Society of Forensic Computer Examiners.

11/03 Certified Computer Examiner, International Society of Forensic Computer Examiners.

03/03 Tri-annual recertification - IACIS Certified Forensic Computer Examiner

05/00 Certified Forensic Computer Examiner, IACIS

05/00 IACIS Windows Processing Problem

09/99 Topical Instructor Certification, Electronic Evidence Collection

Department of Public Safety, Standards and Training, State of Oregon

06/99 Symantec, Inc., Eugene, Oregon

Macintosh Data Recovery Course - five-day in-house course for HFS and HFS+

05/99 Windows Processing Certification, IACIS

11/98 ASRDATA, LLC, Austin, Texas. Two-day Macintosh Forensic Course

07/97 New Technologies, Inc., Portland Oregon Advanced Computer Forensic Course - three-day course in advanced forensic issues and methodologies.

01/96 DPC - DOS Processing Certification, IACIS

07/95 IACIS 80 hour Forensic Training Course received DSC-DOS Seizure Certification, Portland, Oregon

12/89 Advanced Police Certificate, Board on Police Standards and Training, Oregon

LAW ENFORCEMENT EXPERIENCE

06/93 - 11/04 Retired Oregon State Police, Springfield, Oregon

08/86 - 05/93 Lane County Sheriff's Office, Eugene, Oregon

12/77 - 07/81 Eugene Police Department, Eugene, Oregon

07/76 - 09/77 Drain Police Department, Drain, Oregon

EDUCATION

12/89 Associate Degree – Applied Police Science, Lane Community College, Eugene, OR

RECENT AWARDS:

January, 2011 Special Recognition Award for forensic computer services, Springfield Police Dept., Oregon.

April, 2010 Partnership Award for forensic computer services, Eugene Police Dept., Oregon.

March, 2009 CCE of the Month awarded by the International Society of Forensic Computer Examiners.

April, 2002 - FBI "Expresses Its Appreciation for Exceptional Service in the Public Interest" Director Robert Mueller

2002 Electronic Evidence Course – "Your experiential knowledge and ability to candidly explain common investigative and prosecution pitfalls, combined for a very effective presentation." Sean Hoar, Assistant US Attorney, Criminal Division, U.S. Dept of Justice, Eugene, Oregon

wmarney@comcast.net 541-729-6792

EXHIBIT

Page 13 of 13